IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2761 OF 2005

Central Warehousing Corporation
and Ors. ..Applicants

Vs.

The State of Maharashtra & Ors.. ..Respondents

...

Mr.H.K.Prem Advocate for Applicants
Mr.Ganesh Gole for Respondent no.2
Mr.B.H.Mehta A.P.P. for State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : SEPT. 30,2005

P.C.

1. Heard the learned advocate for the applicants, learned advocate for the respondent no.2 and the learned A.P.P. for the State. Mr.Sayed Jamil Jalali is present in person on behalf of respondent no.2-original complainant.

2. The applicants have prayed for quashing of Special Complaint No.9 of 2004 pending before the Special Court, Alibaug, Raigad. By order dated 5th March, 2005, the learned Magistrate directed the

police to investigate under Section 156(3) of Cr.P.C. Pursuant to the directions, an F.I.R. came to be registered at Navha Sheva Police Station. Being aggrieved by the said order, this application has been preferred.

3. The complainant who is present in person states that he does not wish to prosecute his complaint.

4. Looking to the statement made by the complainant, I am inclined to quash the proceedings. Accordingly, the proceedings relating to Special Case No.9 of 2004 pending before the Special Court, Alibaug Raigad and the FIR relating thereto are quashed and set aside.

5. Criminal Application is disposed of.

[V.K.TAHILRAMANI,J.]